



Senate

General Assembly

File No. 270

January Session, 2013

Substitute Senate Bill No. 999

Senate, April 2, 2013

The Committee on Education reported through SEN. STILLMAN of the 20th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE TIMELY TRANSFER OF STUDENT RECORDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-220h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 (a) When a student enrolls in a school in a new school district or in a
4 new state charter school, the new school district or new state charter
5 school shall provide written notification of such enrollment to the
6 school district in which the student previously attended school or the
7 state charter school the student previously attended not later than two
8 business days after the student enrolls. The school district in which the
9 student previously attended school or the state charter school that the
10 student previously attended (1) shall transfer the student's education
11 records to the new school district or new state charter school [no] not
12 later than ten business days after receipt of such notification, and (2) if
13 the student's parent or guardian did not give written authorization for
14 the transfer of such records, shall send notification of the transfer to the

15 parent or guardian at the same time that it transfers the records. In the
16 case of a student who transfers from Unified School District #1, [or]
17 Unified School District #2 or Unified School District #3, the new school
18 district or new state charter school shall provide written notification of
19 such enrollment to [Unified School District #1 or Unified School
20 District #2] such unified school district not later than ten business days
21 after the date of enrollment. [The] Such unified school district shall, not
22 later than ten business days after receipt of notification of enrollment
23 from the new school district or new state charter school, transfer the
24 records of the student to the new school district or new state charter
25 school and the new school district or new state charter school shall, not
26 later than thirty days after receiving the student's education records,
27 credit the student for all instruction received in [Unified School District
28 #1 or Unified School District #2] such unified school district.

29 (b) If a student enrolls in a new school district, a new state charter
30 school or a unified school district and the school district, state charter
31 school or unified school district that such student previously attended
32 fails to transfer the records of such student to the new school district,
33 new state charter school or unified school district not later than the
34 tenth business day after receipt of notification of enrollment from the
35 new school district, new state charter school or unified school district,
36 pursuant to subsection (a) of this section, the Commissioner of
37 Education shall impose upon the school district, state charter school or
38 unified school district that such student previously attended a penalty
39 of one hundred dollars for each day after such tenth business day that
40 the school district, state charter school or unified school district that
41 such student previously attended fails to transfer such records, except
42 that the commissioner may waive such penalty for good cause shown.

43 Sec. 2. Subsection (e) of section 10-186 of the general statutes is
44 repealed and the following is substituted in lieu thereof (*Effective July*
45 *1, 2013*):

46 (e) A local or regional board of education shall immediately enroll
47 any student who transfers from Unified School District #1, [or] Unified

48 School District #2 or Unified School District #3. In the case of a student
49 who transfers from Unified School District #1 or Unified School
50 District #2 to the school district in which such student attended school
51 prior to enrollment in Unified School District #1 or Unified School
52 District #2, such student shall be enrolled in the school such student
53 previously attended, provided such school has the appropriate grade
54 level for such student.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	10-220h
Sec. 2	<i>July 1, 2013</i>	10-186(e)

ED *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Education, Dept.	GF - Revenue Gain	See Below	See Below
Unified School District	GF - Potential Cost	See Below	See Below

Municipal Impact:

Municipalities	Effect	FY 14 \$	FY 15 \$
Various Local and Regional School Districts	STATE MANDATE - Potential Cost	See Below	See Below

Explanation

The bill could result in a potential revenue gain to the State Department of Education (SDE) and a corresponding cost to various local and regional school districts, associated with a \$100 per day penalty to local districts for failing to forward student records to the student's new district within ten business days after being notified of the transfer. The \$100 per day penalty applies to all public schools, charter schools, and unified school districts. The bill does allow the Commissioner of Education to waive the penalty if the violating districts show good cause.

Currently, of the 200 districts that would be required to submit information (166 locals, 17 charter schools, 6 RESCs, 3 Unified School Districts, and the Technical High School System) there are approximately 2-3 records that are reported late each year to SDE. It is anticipated that there are several incidents of unreported late transfers.

The bill may result in a greater impact to larger districts that have a higher volume of student transfers. The bill makes several other changes regarding notification, credit instruction, and enrollment, which will not result in a fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of penalties.

OLR Bill Analysis**sSB 999*****AN ACT CONCERNING THE TIMELY TRANSFER OF STUDENT RECORDS.*****SUMMARY:**

This bill authorizes a penalty the education commissioner must impose on school districts that fail to forward student education records in certain circumstances. When a student transfers from one school district to another, current law requires the student's former district to transfer the student's records to the new district. The bill requires the commissioner to impose a penalty on the former district if it fails to forward the records within 10 business days after being notified of the transfer. The penalty is \$100 per day for each day beyond the deadline and applies to all public school districts, state charter schools, and unified school districts. The commissioner may waive the penalty if the violating district or school shows good cause.

Additionally, the bill changes the deadline by which public school districts and charter schools must give notice of transferred enrollment to the student's former unified school district from 10 calendar days to 10 business days. It also changes the deadline for forwarding student education records from 10 days to 10 business days after enrollment when:

1. a student transfers out of a public school district or state charter school to another public school district or state charter school, or
2. a student transfers out of Unified School District #1, #2, or #3 to another public school district or state charter school.

The bill also requires public school districts and state charter schools

to credit instruction from Unified School District #3 within 30 calendar days of receiving the student's education records.

Lastly, the bill requires local and regional boards of education to immediately enroll any student who transfers from Unified School District #3, as they must under current law with respect to students who transfer from Unified School Districts #1 and #2.

EFFECTIVE DATE: July 1, 2013

BACKGROUND

Unified School District # 1

This district serves students in Department of Corrections custody.

Unified School District # 2

This district serves students who live in Department of Children and Families (DCF) facilities or are placed in residential or hospital facilities by DCF.

Unified School District # 3

This district serves students who have significant developmental delays or have been diagnosed with a physical or mental condition that carries a high probability of resulting in a significant developmental delay. These students are not old enough to receive special education services, so they receive services from the Birth to Three system under the Department of Developmental Services.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute

Yea 34 Nay 0 (03/13/2013)